PATENT

's Docket No. 43314/270282

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re:

Addington et al.

Confirmation No.:

9642

Appl. No.:

10/712,890

Art Unit:

2122

Filed:

November 12, 2003

Examiner:

To be assigned

For:

SYSTEMS AND METHODS FOR DISTRIBUTING SOFTWARE FOR A

HOST DEVICE IN A CABLE SYSTEM

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT CITATION UNDER 37 C.F.R. § 1.97

Sir:

Attached is a Form PTO-1449 listing several documents that were first cited in the International Search Report for the corresponding International Application Number PCT/US04/19455 not more than three months prior to the filing of this Statement.

In this regard, Applicant notes that the International Search Report was not received by any individual designated by 37 CFR 1.56(c) more than thirty (30) days prior to the filing of this Information Disclosure Statement.

The Search Report is enclosed along with any cited foreign patent documents and non-patent literature documents in accordance with 37 CFR 1.98(a)(2).

It is requested that the Examiner consider these documents and officially make them of record in accordance with the provisions of 37 C.F.R. § 1.97 and Section 609 of the MPEP. By identifying the listed documents, Applicant in no way makes any admission as to the prior art status of the listed documents, but is instead identifying the listed documents for the sake of full disclosure.

Respectfully submitted,

Karl Koster

Registration No. 50,684

Customer No. 00826 ALSTON & BIRD LLP

Bank of America Plaza 101 South Tryon Street, Suite 4000 Charlotte, NC 28280-4000 Tel Atlanta Office (404) 881-7000

Fax Atlanta Office (404) 881-7777

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Commissioner for Patents, P.O. Box 1450, Alexandria, VA

22313-1450, on June 14, 2005 Hithara

Laisha Richardson

Substitute for form 1449/PU 16 205 CREW 10712,890					1011	13.0									
INFORMATION SCLOSARE Filling Date November 12, 2003 Filling Date November 12, 2003					<i>[</i>	1		Complete if Known							
Filing Date				19/PT	b IIIM 1 c	2002 O	Α	Application Number							
STATEMENT BY ATTEMENT (Use as many sheets as necessary) Sheet 1 of 1 Attorney Docket Number 43314/270282 U.S. PATENT DOCUMENTS Examiner No. Number - Kind Code (if known) MD-D-YYYY MDIcation Date MM-DD-YYYY MCREATED DOCUMENTS 1 US-2002/0178455 A1 11-28-2002 Poli et al. 2 US-2004/0261116 A1 12-23-2004 Mckeown et al. 3 US-2004/0261116 A1 12-23-2004 Mckeown et al. FOREIGN PATENT DOCUMENTS Foreign Patent Document Publication Date MM-DD-YYYY MM-DD-YY	(Kevised 04/2003)										November 12, 2003				
STATEMENT BY ATTEMENT (Use as many sheets as necessary) Sheet 1 of 1 Attorney Docket Number 43314/270282 U.S. PATENT DOCUMENTS Examiner No. Number - Kind Code (if known) MD-D-YYYY MDIcation Date MM-DD-YYYY MCREATED DOCUMENTS 1 US-2002/0178455 A1 11-28-2002 Poli et al. 2 US-2004/0261116 A1 12-23-2004 Mckeown et al. 3 US-2004/0261116 A1 12-23-2004 Mckeown et al. FOREIGN PATENT DOCUMENTS Foreign Patent Document Publication Date MM-DD-YYYY MM-DD-YY								First Named Inventor			Addington et al.				
Sheet 1 Of	INFORMATION MISCLOSERE							Group Art Unit			2122				
Sheet															
Examiner Initials No. Number - Kind Code (if known) Publication Date MM-DD-YYYY Passages of Relevant Figures Appear Passages of Relevant Passages of Relevan		(Use a		iny sh		1									
Examiner Initials* Cite Number - Kind Code (if known) Publication Date MM-DD-YYYY Applicant of Cited Document Pages, Columns, Lines, Where Relevant Figures Appear	Sheet	L	1		of	<u>l </u>	A	ttorney Dock	et Nur	nber	43314/270282				
Examiner Initials* Cite Number - Kind Code (if known) Publication Date MM-DD-YYYY Applicant of Cited Document Pages, Columns, Lines, Where Relevant Figures Appear							TT 6	DATES IN	DOCT.	MEN	ITC				
Examiner Initials No. Number - Kind Code (if known) 1 US-2002/0178455 A1 11-28-2002 Poli et al. 2 US-2004/0088737 A2 05-06-2004 Donlan et al. 3 US-2004/0261116 A1 12-23-2004 Mckeown et al. FOREIGN PATENT DOCUMENTS Examiner Initials Cite No. Country Code - Number Kind Code (if known) No. Country Code - Number Kind Code (if known) OTHER DOCUMENTS Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. International Search Report from International Application No. PCT/US04/19455			_		Document No	ımber	0.8	S. PAIENI I	DOCL	IVIEI	(13				
1 US-2002/0178455 A1 11-28-2002 Poli et al. 2 US-2004/0288737 A2 05-06-2004 Donlan et al. 3 US-2004/0261116 A1 12-23-2004 Mckeown et al. 4 US-2004/0261116 A1 12-23-2004 Mckeown et al. 5 US-2004/0261116 A1 12-23-2004 Mckeown et al. 6 US-2004/0261116 A1 12-23-2004 Mckeown et al. 7 US-2004/0261116 A1 12-23-2004 Mckeown et al. 8 US-2004/0261116 A1 12-23-2004 Mckeown et al. 9 US-2004/0261116 A1 12-23-2004 Mckeown et al. 10 US	Examiner	Cite	e	<u> </u>			Pu	blication Date			of Patentee or				
2 US-2004/0088737 A2 05-06-2004 Donlan et al. 3 US-2004/0261116 A1 12-23-2004 Mckeown et al. FOREIGN PATENT DOCUMENTS Foreign Patent Document Cite Initials No. Foreign Patent Document Country Code - Number Kind Code (iff known) Publication Date MM-DD-YYYY Document Publication Date MM-DD-YYYY Document Pages, Columns, Lines, Where Relevant Passages or Relevant Passages or Relevant Figures Appear Translation Attached Attached Translation Attached Publication Date MM-DD-YYYY Document Publication Date MM-DD-YYYY Document Pages, Columns, Lines, Where Relevant Passages or Relevant Passa	Initials*	No		Number - Kind Code (if known)			MI	MM-DD-YYYY		Applicant of Cited Document		Passages of Relevant Figures Appear			
FOREIGN PATENT DOCUMENTS Foreign Patent Document Cite No. Cite No. There pocument Cite Initials Cite No. Cite No. Cite Initials Cite No. Cite No. Cite Initials Cite No. Cite No. Cite No. Cite Initials Cite No. Cite No. Cite No. Cite Initials Cite No. Cite Initials Cite No. Cite No. Cite Initials Cite No. Cite Initials Cite No. Cite No. Cite No. Cite No. Cite No. Cite Initials Cite No. Cite No. Cite No. Cite No. Cite No. Cite No. Cite Initials Cite No. Cite No. Cite No. Cite Initials Cite No. Cite No. Cite No. Cite No. Cite Initials Cite No. Cite No. Cite No. Cite Initials Cite No.		1		US-	2002/0178455 A1		11	11-28-2002		Poli et al.					
FOREIGN PATENT DOCUMENTS Examiner Initials Cite No. Therefore a patent Document Country Code - Number Kind Code (if known) Therefore a patent Document Country Code - Number Kind Code (if known) Therefore a publication Date MM-DD-YYYY Applicant of Cited Document Therefore a publication Date MM-DD-YYYY Applicant of Cited Document Translation Attached		2		US-2004/0088737 A2			05-06-2004			Donlan et al.					
Examiner Initials Cite No. Country Code - Number Kind Code (if known) Publication Date MM-DD-YYYY Applicant of Cited Document Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear Attached Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear Attached Publication Date MM-DD-YYYY Applicant of Cited Document Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear Attached Publication Date MM-DD-YYYY Applicant of Cited Document Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear Pages, Columns, Lines, Where Relevant Passages or Relevant Passages or Relevant Figures Appear Pages, Columns, Lines, Where Relevant Passages or Relevant Passages or Relevant Figures Appear Pages, Columns, Lines, Where Relevant Passages or Relev		3		US-2004/0261116 A1		12-23-2004		Mckeown et al.							
Examiner Initials Cite No. Country Code - Number Kind Code (if known) Publication Date MM-DD-YYYY Applicant of Cited Document Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear Attached Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear Attached Publication Date MM-DD-YYYY Applicant of Cited Document Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear Attached Publication Date MM-DD-YYYY Applicant of Cited Document Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear Pages, Columns, Lines, Where Relevant Passages or Relevant Passages or Relevant Figures Appear Pages, Columns, Lines, Where Relevant Passages or Relevant Passages or Relevant Figures Appear Pages, Columns, Lines, Where Relevant Passages or Relev						·									
Examiner Initials Cite No. Country Code - Number Kind Code (if known) Publication Date MM-DD-YYYY Applicant of Cited Document Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear Attached Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear Attached Publication Date MM-DD-YYYY Applicant of Cited Document Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear Attached Publication Date MM-DD-YYYY Applicant of Cited Document Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear Pages, Columns, Lines, Where Relevant Passages or Relevant Passages or Relevant Figures Appear Pages, Columns, Lines, Where Relevant Passages or Relevant Passages or Relevant Figures Appear Pages, Columns, Lines, Where Relevant Passages or Relev	•														
Examiner Initials Cite No. Country Code - Number Kind Code (if known) Publication Date MM-DD-YYYY Applicant of Cited Document Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear Attached Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear Attached Publication Date MM-DD-YYYY Applicant of Cited Document Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear Attached Publication Date MM-DD-YYYY Applicant of Cited Document Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear Pages, Columns, Lines, Where Relevant Passages or Relevant Passages or Relevant Figures Appear Pages, Columns, Lines, Where Relevant Passages or Relevant Passages or Relevant Figures Appear Pages, Columns, Lines, Where Relevant Passages or Relev															
Examiner Initials Cite No. Country Code - Number Kind Code (if known) Publication Date MM-DD-YYYY Applicant of Cited Document Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear Attached Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear Attached Publication Date MM-DD-YYYY Applicant of Cited Document Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear Attached Publication Date MM-DD-YYYY Applicant of Cited Document Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear Pages, Columns, Lines, Where Relevant Passages or Relevant Passages or Relevant Figures Appear Pages, Columns, Lines, Where Relevant Passages or Relevant Passages or Relevant Figures Appear Pages, Columns, Lines, Where Relevant Passages or Relev															
Examiner Initials Cite No. Country Code - Number Kind Code (if known) Publication Date MM-DD-YYYY Applicant of Cited Document Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear Attached Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear Attached Publication Date MM-DD-YYYY Applicant of Cited Document Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear Attached Publication Date MM-DD-YYYY Applicant of Cited Document Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear Pages, Columns, Lines, Where Relevant Passages or Relevant Passages or Relevant Figures Appear Pages, Columns, Lines, Where Relevant Passages or Relevant Passages or Relevant Figures Appear Pages, Columns, Lines, Where Relevant Passages or Relev			十				 								
Examiner Initials Cite No. Country Code - Number Kind Code (if known) Publication Date MM-DD-YYYY Applicant of Cited Document Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear Attached Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear Attached Publication Date MM-DD-YYYY Applicant of Cited Document Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear Attached Publication Date MM-DD-YYYY Applicant of Cited Document Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear Pages, Columns, Lines, Where Relevant Passages or Relevant Passages or Relevant Figures Appear Pages, Columns, Lines, Where Relevant Passages or Relevant Passages or Relevant Figures Appear Pages, Columns, Lines, Where Relevant Passages or Relev			\dashv												
Examiner Initials Cite No. Country Code - Number Kind Code (if known) Publication Date MM-DD-YYYY Applicant of Cited Document Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear Attached Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear Attached Publication Date MM-DD-YYYY Applicant of Cited Document Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear Attached Publication Date MM-DD-YYYY Applicant of Cited Document Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear Pages, Columns, Lines, Where Relevant Passages or Relevant Passages or Relevant Figures Appear Pages, Columns, Lines, Where Relevant Passages or Relevant Passages or Relevant Figures Appear Pages, Columns, Lines, Where Relevant Passages or Relev														 	
Examiner Initials Cite No. Country Code - Number Kind Code (if known)		1			Foreign Dat)RE	IGN PATEN	TDO	CUM	IENTS	Pages Columns	: Lines	English	
Translation Attached Cite No. Country Code - Number Kind Code NiM-DD-1111 Applicant of Cited Document Figures Appear Attached	Examiner	Cite		Foreign Patent Document				Publication D	ate Name of		f Patentee or				
Cite Initials Cite No. Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. Examiner Initials Attached Translation Attached Translation Attached International Search Report from International Application No. PCT/US04/19455	Initials	No.		1			de	MM-DD-YY	1		int of Cited	•		Translation	
Examiner Initials Cite No. Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. International Search Report from International Application No. PCT/US04/19455				(if known)					Docum		ent	rigures Appear		Attached	
Examiner Initials Cite No. Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. International Search Report from International Application No. PCT/US04/19455															
Examiner Initials Cite No. Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. International Search Report from International Application No. PCT/US04/19455															
Examiner Initials Cite No. Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. International Search Report from International Application No. PCT/US04/19455									+						
Examiner Initials Cite No. Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. International Search Report from International Application No. PCT/US04/19455											_				
Examiner Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. 4 International Search Report from International Application No. PCT/US04/19455			· · · · -					OTHER DO	CUM	ENTS	<u> </u>		En	glich Language	
Examiner Initials No. number(s), publisher, city and/or country where published. 4 International Search Report from International Application No. PCT/US04/19455															
4 International Search Report from International Application No. PCT/US04/19455	Examiner														
	Initials				namocity, paononici, city and/or country where paononica.										
			4												
											,	,			
								100-100-10-10-10-10-10-10-10-10-10-10-10			ay , and the state of the state				
Examiner Date	Examiner	_								 r	Date				

Considered

Signature

^{*}Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.